REMARKS/ARGUMENTS

After entry of this amendment, claims 1, 4-5, 7-9, 11-14, 17-22, and 25-29 are pending in this application. Claims 2-3, 6, 10, 15-16, and 23-24 have been withdrawn. New claims 25-29 have been added. Claims 25-29 find support throughout the specification at, *e.g.*, page 13, lines 13-22. Thus, no new matter is added by these amendments.

In response to the restriction requirement mailed August 25, 2004, Applicants elect Group II, claims 1, 4-5, 7-9, 11-14, and 17-22, drawn to a therapeutic method of targeting a native lethal factor to a cancer cell overexpressing a plasminogen activator or a plasminogen activator receptor. Applicants further elect the following sequence from claim 7: PGSGRSA. Applicants also elect the following species of cancer: myelogeous leukemia.

The instant application is a U.S. National Phase application filed under 35 U.S.C. §371. As such, the Unity of Invention standard set forth in 37 C.F.R. § 1.475 applies to this application. Unity of Invention exists when a group of inventions have a single general inventive concept (*see, e.g.*, MPEP §1850, citing PCT Rule 13.1 and MPEP § 1893.03(d), citing 37 C.F.R. § 1.475). A group of inventions is linked to form a single general inventive concept where there is at least one common or corresponding special technical feature, *i.e.*, a technical feature that distinguishes the claimed invention from the prior art (*see id.*). Moreover, a proper determination regarding unity of invention should be made without regard to whether a group of inventions is claimed in separate claims.

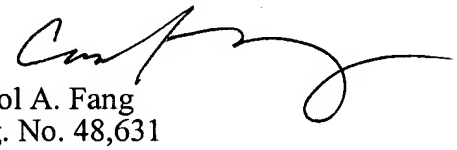
The foregoing election is made with traverse, as the nine groups set forth by the Examiner are linked by a single general inventive concept. Each of the nine groups set forth by the Examiner stem from the general inventive concept of targeting a compound to a cell by administering both a ***mutant*** protective antigen and a lethal factor polypeptide comprising a protective antigen binding site to the cell. The mutant protective antigen comprises a mutation wherein the native furin-recognized cleavage site has been replaced with a cleavage site for another protease, *i.e.*, a matrix metalloproteinase or a plasminogen activator. The protective antigen is cleaved by the non-furin protease and binds to lethal factor, thereby translocating the lethal factor into the cell. Thus, all of the claims require a mutant protective antigen wherein the

native furin-recognized cleavage site has been replaced with a cleavage site for another protease. As such, the groups are all linked by a common technical concept, *i.e.*, a mutant anthrax protective antigen comprising a non-furin cleavage site, and possess Unity of Invention. Applicants therefore respectfully request that the Examiner withdraw the Restriction Requirement and consider all the claims together.

Applicants further request that upon allowance of the generic claim, the Examiner consider rejoinder of withdrawn species if they are embraced by the allowed generic claims as set forth in 37 C.F.R. § 1.141 (*see, e.g.*, MPEP § 1893.03(d).

If the Examiner believes a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at 415-576-0200.

Respectfully submitted,



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